

The Whistleblower Protection Program

Policy: CAPR 123-2 para 3

The CAP Whistleblower Protection Program provides protection against reprisal or abuse of authority for members who expose any fraud, waste, management, deficiency, cadet protection issue, abuse of authority or discrimination. This program is available to all CAP members.

1. No one shall restrict a member of the Civil Air Patrol from making a protected Communication.
2. Any Civil Air Patrol member who attempts to limit another member's right to make or prepare a protected communication, or who attempts to retaliate against a member for making or preparing a protected communication is in violation of the CAP Whistleblower Protection Program policy and is subject to administrative and/or disciplinary action.
3. A Timely Whistleblower Complaint is considered an administrative action, and no appeal of an adverse membership action may be made to the Membership Action Review Board until the Timely Whistleblower Complaint has been resolved.

Definitions: CAPR 123- 2 para 2

Complaint – A written document listing the facts and circumstances specifically alleging a violation of a CAP directive, a violation of law, or misconduct.

Protected Communication - Any lawful communication to a member of Congress or a Department of Defense or CAP inspector general, legal officer or the members' chain of command. Those communications that are willfully false or made publicly with the ostensible purpose of harassment do not meet the definition of a protected communication.

Timely Whistleblower Complaint –

1. A written complaint alleging reprisal for making or preparing a protected communication filed within 60 days of the member or parent or legal guardian of a cadet member becoming aware of the personnel action that is subject of the allegation.
2. A written complaint alleging reprisal for making or preparing communication after 60 days of the member or parent or legal guardian of a cadet member becoming aware of the alleged **reprisal** when an **inspector general** determines, in writing, there are extraordinary circumstances justifying the delay in filing the complaint or there is special Civil Air Patrol interest in the matter. Such determination shall balance considerations of staleness of evidence, fairness to the respondent and Civil Air Patrol's interest.
- 3.

Reprisal – Retaliating or threatening to retaliate by taking an unfavorable personnel action, or withholding or threatening to withhold a favorable personnel action, for making or preparing a protected communication.